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d/b/a The Chicken Ranch

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KIZZY BYARS, DANIELLE JAMES, as
Individuals and On Behalf of Others Similarly
Situating,

Plaintiffs,

v.

WESTERN BEST LLC, a Nevada Limited
Liability Company doing business as THE
CHICKEN RANCH; DOES I through X,
inclusive, and ROE CORPORATIONS I
through X, inclusive,

Defendants.

Case No. 2:19-cv-01690-JCM-DJA

STIPULATION AND ORDER

On September 9, 2019, Plaintiffs Kizzy Byars and Danielle James, as individuals and on behalf of others similarly situated ("Plaintiffs"), filed a Complaint in the United States District Court, District of Nevada (Dkt 1);

On November 8, 2019, the Court entered an Order Setting Early Neutral Evaluation ("ENE") Session for January 13, 2020, at 10:00 am before Magistrate Judge Cam Ferenbach (Dkt 10);

On November 21, 2019, Defendant Western Best LLC d/b/a The Chicken Ranch filed its Motion to Dismiss the Complaint (Dkt 13);

1 On January 9, 2020, Plaintiffs filed a Motion to Amend Complaint (Dkt 21).

2 On January 13, 2020, the Court conducted the ENE session ("ENE Session"). During the
3 ENE Session, the Parties held their Rule 26(f) Conference.

4 Deanna Forbush, Esq. of Fox Rothschild LLP appeared at the ENE session, on behalf of
5 Defendants and Ryan Alexander, Esq. of Ryan Alexander Chtd. appeared at the ENE Session and
6 26(f) Conference on behalf of Plaintiffs wherein the Parties conferred regarding the pending
7 Motions and agreed that Defendant would not object to Plaintiffs' Motion to Amend, Defendant
8 would withdraw its Motion to Dismiss and refile after the Amended Complaint was filed,
9 Defendant would thereafter refile its response to Plaintiffs' Amended Complaint, and that the
10 Parties would serve their respective initial disclosures on or before January 27, 2020.

11 **STIPULATION**

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and
13 between Plaintiffs and Defendants, through their respective counsel of record, as follows:

- 14 1. Defendant will withdraw its Motion to Dismiss;
15 2. Plaintiffs will withdraw their Opposition to Defendant's Motion to Dismiss;
16 3. Defendant will file a non-opposition to Plaintiffs' Motion to Amend the Complaint;
17 4. Plaintiffs file their Amended Complaint, unopposed;
18 5. Defendant will have 30 days from the date Plaintiffs file their Amended Complaint
19 to file a responsive pleading; and

- 20 6. The Parties will serve their respective Initial Disclosures on or before January 27,
21 2020.

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